

REMARKS

Favorable reconsideration of this application in light of the following discussion is respectfully requested. No claims having been added and claims 8, 9, 11 and 12 having been canceled by the above amendment, the Applicant respectfully submits that claims 1, 2, 4-7, 10, 13, 14 and 16-21 are presently pending and properly under consideration in this application, with claims 1, 10 and 13 being in independent form.

Claim Rejections under 35 U.S.C. § 102

Claim 12 stands rejected under 35 U.S.C. § 102(b) as anticipated by Japanese reference publication 07-136,599A (“the ’599A reference”), specifically with reference to figures 1, 5 and 7, abstract and a partial English translation. The Applicant respectfully submits that the cancellation of claim 12 reflected above renders this rejection moot. The Applicant respectfully requests, therefore, that this rejection be withdrawn.

Claims 8 and 11 stand are rejected under 35 U.S.C. §102(b) as being anticipated by the Japanese reference (figure 5). The Applicant respectfully contends that the cancellation of claims 8 and 11 render this rejection moot and requests that it be withdrawn.

Claim Rejection under 35 U.S.C. § 103

Claim 9 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over ‘599A taken together with Applicant’s admitted prior art figures 1a, 1b and pages 1-3 of the specification. The Applicant respectfully contends that the cancellation of claim 9 has rendered this rejection moot and requests that it be withdrawn.

Comments re Response to Arguments

The Applicant respectfully maintains that no textual or logical basis has yet been established with regard to the contention regarding the “inherent” ejection of air or a “comparable fluid.” Action at 4. The Applicant respectfully maintains that while some “sprays” may include a mixture of both a gas and a liquid, nothing in the ‘599A reference has been shown to teach or suggest that the disclosed “release agent” comprises such a mixed stream. Indeed, the Applicant respectfully contends that it is perhaps more common that *only liquids* are ejected from a nozzle to form a “spray,” *e.g.*, water from a garden hose. The Applicant further contends that even in many aerosol dispensers and other pressurized applications, a gaseous propellant is used to establish a pressure “head” over a liquid reservoir and thereby force the *liquid* through the associated nozzles or spray heads to form a “spray.” The Applicant respectfully contends, therefore, that there has been no substantive basis established for the contention that “it is inherent” that the release agent nozzles of the ‘599A reference will also blow air onto the surfaces of the mold(s).

Objections to the Claims

Claims 10, 13, 14 and 16-20 stand objected to as depending from a rejected base claim. The Applicant notes that claim 10 has been rewritten in independent form to incorporate the limitations of the claims from which it originally depended, claims 8 and 9. The Applicant also respectfully contends that the above amendments to claim 13, which incorporate the limitations of canceled claim 12 from which it originally depended, are sufficient to render claim 13 allowable. Similarly, the Applicant respectfully contends that claims 14 and 16-20 each depend either directly or indirectly from claim 13 and requests, therefore, that the objections with regard to these claims be withdrawn.

Allowable Subject Matter

The Applicant notes with appreciation the Examiner's indication that claims 1, 2 4-7 and 21 are allowed over the prior art of record and that claims 10, 13, 15 and 16-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In light of the amendments to claims 10 and 13, the cancellation of claim 12, and the remarks provided above, however, the Applicant respectfully contends that each of the claims presently pending in this application is in condition for allowance.

CONCLUSION

In view of above remarks, entry of the claim amendments and reconsideration of the outstanding rejections are respectfully requested. The Applicant respectfully contends that each of the pending rejections and objections has been overcome in light of the amendments to the

claims indicated above to place the claims in condition for allowance. A notice to that effect is respectfully requested.

If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Very truly yours,

HARNESS, DICKEY & PIERCE, PLC

By _____

John A. Castellano
Reg. No. 35,094

P.O. Box 8910
Reston, VA 20195
(703) 668-8000

JAC/GPB:ybm